

DOWD, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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|--------------------------------|---|-------------------------------------|
| KELLI WILLIAMS, |) | |
| |) | CASE NO. 5:11 CV 02514 |
| Plaintiff, |) | |
| |) | |
| v. |) | <u>MEMORANDUM OPINION AND</u> |
| |) | <u>ORDER RE DEFENDANT'S MOTION</u> |
| BARBERTON CITY SCHOOL DISTRICT |) | <u>FOR JUDGMENT ON THE</u> |
| BOARD OF EDUCATION, |) | <u>PLEADINGS, PLAINTIFF'S</u> |
| Defendant. |) | <u>OBJECTIONS TO THE MAGISTRATE</u> |
| |) | <u>JUDGE'S REPORT AND</u> |
| |) | <u>RECOMMENDATION AND MOTION</u> |
| |) | <u>TO AMEND</u> |

After consideration of the parties' motion papers (Dkt. ## 23,28,30), Magistrate Judge Limbert's Report and Recommendation (Dkt. #33), Plaintiff's Objections to the Report and Recommendation (Dkt.#35), Defendant's Response to Plaintiff's Objections (Dkt. #38) and the oral arguments made before the Court at the hearing on November 16, 2012, the Court GRANTS Plaintiff's motion to file an amended complaint. The grant of the motion to amend renders moot the Defendant's Motion for Judgment on the Pleadings, the Magistrate Judge's Report and Recommendation and the Plaintiff's Objections thereto.

Plaintiff shall file a First Amended Complaint no later than December 21, 2012.

Defendant shall have until January 4, 2013 to file a responsive pleading. Further Rule 12 motions will not be entertained, but any arguments that were asserted in Defendant's Motion for

Judgment on the Pleadings may be reasserted in a Rule 56 motion. All dates set in the August 28, 2012 Order (Dkt.#32) remain in effect.

IT IS SO ORDERED.

November 30, 2012
Date

/s/ David D. Dowd, Jr.
David D. Dowd, Jr.
U.S. District Judge